

UNITED STATES DISTRICT COURT FOR THE  
EIGHTH DISTRICT OF MINNESOTA  
No. 21-CR-00093 (JRT/TNL)

**RECEIVED**

**FEB 04 2022**

CLERK, U.S. DISTRICT COURT  
MINNEAPOLIS, MINNESOTA

UNITED STATES OF AMERICA INC.

Plaintiff,

v.

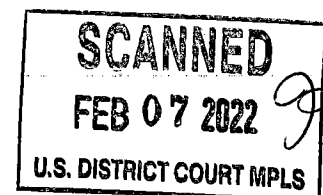
Sheik El Robbin Allen Thomas El Bey

Defendant,

MOVE TO DISMISS DUE  
TO LACK OF JURISDICTION /  
LACK OF VENUE and to Withdraw  
Plea of Not Guilty

The Defendant in the above named case, Sheik El Robbin Allen Thomas El Bey, respectfully moves the Court to Dismiss the above named case due to Lack of Jurisdiction. The Defendant respectfully provides the Court the following information in support of his Move to Dismiss for lack of Jurisdiction.

1. Sheik El Robbin Allen Thomas El Bey is sovereign and a American national heir to the Moroccan Empire by jus sanguinis, which has also been proclaimed to the world, and recognized by this Court.
2. When Sheik El Robbin Allen Thomas El Bey was kidnapped and held hostage, Sheik El Robbin Allen Thomas El Bey was not notified of his treaty rights nor his right to consular notification during the time of examination nor when he was detained. All officers and judicial officers are obligated to notify 'foreign nationals' of such rights per the Consular Notification and access manual 5<sup>th</sup> Edition 2018.
3. The United States Attorney's Office is "an entity and as such is the spokesman for the Government." Giglio v. United States, 405 U.S. 150 S. Ct. (1972). The Government upon learning of Sheik El Robbin Allen Thomas El Bey's nationality ignored Sheik El Robbin Allen Thomas El Bey's nationality; failed to notify him of his rights as is required, AND failed to notify the Moroccan Empire or Consulate; the primary Jurisdiction for Sheik El Robbin Allen Thomas El Bey's case.



4. The Moroccan Empire has a well established court at the Minnesota state republic, that has competent jurisdiction and proper venue to hear and decide this case under consular jurisdiction at the Minnesota state republic authority of Article 20 and 21 of the Treaty of Peace and Friendship of 1836 between United States of North America and the Moroccan Empire, and Article III, section 2 and Article VI, section 2 of the Organic Constitution for the UNITED STATES OF AMERICA INC.
5. The United States District Court for the Eighth District of Minnesota does not have Jurisdiction to hear matters or adjudicate in matters of foreign nationals due to diversity of citizenship. As proper venue and jurisdiction currently exists as identified above.
6. Additionally, the Supreme Court of the United States issued that "[a] State cannot refuse to give foreign nationals their treaty rights because of fear that valid international agreements may possibly not work completely to the satisfaction of state authorities, under the supreme clause of the United States Constitution Article VI, Clause 2, state policies ....Must give way to overriding federal treaties conflicting arrangements."
7. Diplomatic Immunity for the moors/The Zodiac constitution written for Moorish Americans was filed in the Library of Congress, Washington DC by C.M. Bey under record number Truth 1:aa222141 and has not been rebutted; thereby given full faith and credit.
8. Furthermore the Moroccan Consulate has invoked and activated their right to Consular Jurisdiction over national Sheik El Robbin Allen Thomas El Bey, and as such:
  1. The Court must withdraw the plea of not guilty in the above named case; and
  2. The Court must immediately dismiss the above named case, so that the Consular Court can prosecute the defendant.

As part of the Treaty, at any point should a consulate need assistance from the UNITED STATES OF AMERICA INC. in prosecuting its nationals, it is the consulate who will communicate with the UNITED STATES OF AMERICA INC. for assistance when needed. Which is not the case in the above named case. The

UNITED STATES OF AMERICA INC., by and through the UNITED STATES ATTORNEY INC.'s Office of the District of Minnesota, is attempting to bypass well established US Constitutional standards and rights of the Treaty of Peace and Friendship of 1836, and United Nations Declaration on Rights of Indigenous Peoples; in order to denationalize Sheik El Robbin Allen Thomas El Bey according to the Article 37 of the United Nations Declaration on Rights of Indigenous Peoples:

*"1. Indigenous peoples have the right to the recognition, observance and enforcement of treaties, agreements and other constructive arrangements concluded with states or their successors and to have states honour and respect such treaties, agreements and other constructive arrangements."*

*"2. Nothing in this declaration may be interpreted as diminishing or eliminating the rights of indigenous peoples contained in treaties, agreements and other constructive arrangements."*

The Moroccan Consulate has filed multiple filings with the Court, a Writ of Error (ECF No. 71), a Writ of Quid Warranto (ECF No. 71-1), and a Default Judgment is being filed with the Court as this is being written. These documents from the Moroccan Consulate specify and elaborate on the facts noted in this motion, provide additional information not included in this motion (but not less relevant or applicable to), and provide case law stemming from the United States Supreme Court; the Supreme Court for the United States of America.

Sheik El Robbin Allen Thomas El Bey recognizes that the UNITED STATES OF AMERICA INC, by and through the District of Minnesota United States Attorney's Office, has shown great disrespect to the Moroccan Consulate, without the Consulate being able to be present to defend itself. This will not happen again, as the Moroccan Consulate has invoked and activated their right to Consular Jurisdiction and will be present at this hearing.

Sheik El Robbin Allen Thomas El Bey additionally recognizes that the UNITED STATES OF AMERICA INC., by and through the District of Minnesota United States Attorney's Office, believes that the Constitution for the UNITED STATES OF AMERICA INC., the Treaty of Peace and Friendship of 1836, and United Nations Declaration on Rights of Indigenous Peoples, are all meritless in the US District Court.

The Court (Tony Leung) indicated that he believes in the Constitution for the UNITED STATES OF AMERICA INC., the Treaty of Peace and Friendship of 1836, and United Nations Declaration on Rights of Indigenous Peoples, and all laws inclusive; and he indicated he was sworn under oath to uphold them. Sheik El Robbin Allen Thomas El Bey does not understand why a Court that has an oath to uphold these laws, allows the Government to call them meritless, when they have been established for over a century and the Supreme Court of the UNITED STATES OF AMERICA INC. recognizes them and stands by them.

Sheik El Robbin Allen Thomas El Bey rebuts that the District of Minnesota United States Attorney's Office should therefore be disqualified from any form of rebuttal, as any form of rebuttal is an act of treason against the UNITED STATES OF AMERICA INC. and its Treaties, as well as violating their oath of office under 28 USC 544 "to execute faithfully his[or her] duties."

To be very clear to the Court, Sheik El Robbin Allen Thomas El Bey is not requesting but moves the Court to dismiss due to Lack of Jurisdiction, as the Court currently has no Jurisdiction with the Moroccan Consulate is wanting to prosecute Sheik El Robbin Allen Thomas El Bey, without the assistance of the UNITED STATES OF AMERICA INC..

Respectfully,

Sheik El Robbin Allen Thomas El Bey

13880 Business Center Drive  
Elk River, MN 55330-1692  
Phone: 763-765-3800



But see 3-4026 Thomas El Bey  
Signature

1-19-22  
Date